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PTO/SB/30 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Request
for
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/048,686
Filing Date	March 26, 1998
First Named Inventor	Refai
Art Unit	2661
Examiner Name	Rao
Attorney Docket Number	4015-108

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FEB 22 2005

Technology Center 2600

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)
- b. ☐ Other _____

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☒ Deposit Account No. 18-1167. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 1,790.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

02/15/2005 HASFAW1 00000076 09048686
01 FC:1801 790.00 00

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Edward H. Green, III</i>	Date	February 10, 2005
Name (Print/Type)	Edward H. Green, III	Registration No.	42,602

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Laura A. Wade</i>	Date	February 10, 2005
Name (Print/Type)	Laura A. Wade		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Repl'n Ref: 02/15/2005 HASFAW1 0021312800
Pat: 181167 Date/Number: 09048686
0150.00 02



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Refai

Serial No.: 09/048,686

Filing Date: March 26, 1998

Docket No.: 4015-108

Title: Broadband Communication System Using
Point and Shoot Approach

Examiner: S. Rao

Group Art Unit: 2661

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Laura A. Wade

Laura A. Wade

PRELIMINARY AMENDMENT ACCOMPANYING RCE

In response to the decision of the Board of Patent Appeals and Interferences issued December 10, 2004, affirming the final rejection of claims 19 and 20, Applicant submits the following preliminary amendment with Request for Continued Examination. Please enter the following amendments prior to examination on the merits. Enclosed is a check in the amount of \$1,790.00 to cover the RCE filing fee, three new independent claims and five new dependent claims. If any additional fees or charges are required, the Commissioner is hereby authorized to charge them to Deposit Account 18-1167.

02/15/2005 WASFAW1 00000076 09048686

02 FC:1201 600.00 OP
03 FC:1202 250.00 OP

04/27/2005 SDIRETA1 00000014 09848686

01 FC:1202 150.00 OP



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2005 MAR -2 PM 12:39

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Patents, Trademarks,
Copyrights, Trade Secrets,
Licensing, and
Related Litigation

February 21, 2005

Mail Stop 16
Director of the USPTO
P.O. Box 1450
Alexandria, VA 22313-1450

Larry L. Coats
David E. Bennett
John R. Owen
David D. Kalish
Anthony J. Biller
Michael D. Murphy
Edward H. Green III
Andrew R. Aranda
Rebecca E. Crandall

Stephen A. Herrera*
Jennifer K. Stewart*

*registered patent agent

Re: U.S. Patent Application
Serial No.: 09/048,686
Filed: March 26, 1998
Broadband Communication System Using Point and Shoot Approach

Dear Sir:

On February 10, 2005, we filed a Request for Continued Examination and Preliminary Amendment in the above-referenced application. Our cover letter stated "Enclosed is a check in the amount of \$1,790.00 to cover the RCE filing fee, three new independent claims and five new dependent claims." Thus, the Preliminary Amendment added eight total claims (claim numbers 21 - 28), three of which were independent.

RCE fee	\$790.00
Excess claims	\$400.00
Independent claims	\$600.00

Total: \$1,790.00

On February 15, 2005, our Deposit Account No. 18-1167 was credited \$150.00. We believe this credit was issued in error. Please review the claim numbering as outlined above, and draft our Deposit Account No. 18-1167 for the \$150.00 if appropriate.

Sincerely,

Tami S. Pursue
Office Manager

TSP/law



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2005 MAR -2 PM 12:39

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Patents, Trademarks,
Copyrights, Trade Secrets,
Licensing, and
Related Litigation

February 21, 2005

Mail Stop 16
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Serial No.: 09/048,686
Filed: March 26, 1998
Broadband Communication System Using Point and Shoot Approach

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Office Manager

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